App. F. IX-4

*Previous References*

193 0. 31 (Law)

**File No.** 112 – 30

**Serial Nos.** 1 – 14.

*Later References*
LR 25-7-32 Cl-9

(70)

# General and Revenue Secretariat.

---

*Serial Nos.*— Fourteen

**Part B for** July 1932.

---

**SUBJECT.**

Notice under Sec 80 C.P.C. by Mr. C.L. Gowda Advocate, Blore on behalf of Talari Ki Rama Krishnaiya re- acquisition of certain properties for the deviation road at Kengeri.

---

Mr. C.L. Gowda
Advocate.

No. P628 of 29.7.32
Invites his attention to the Notification No. P.W. 13-15/S of 4.7.32 published in part-III-1 of the Mysore Gazette of 14th July 1932

Recd Objn
4.8.32

G. R. S. APP F. III—1] 1920.

GENERAL AND REVENUE SECRETARIAT.

( Law ).

NOTES.

File No. 112.20

FILE HEADING.

Notice under sec 80 C.P.C. by Mr. C.L. Gowda Advocate on behalf of Talanki Ramakrishnaiya.

FROM Mr. C. L. Gowda, Advocate, B'lore

| No. | Dated 18.3.31 | Received 19.3.31 |
|---|---|---|
| Diary No. 4497 | Enclos. Spare copies | Serial No. 1 |

BRIEF ABSTRACT OF LETTER.

Threatens a Suit if the award for the lands acquired by the S.D.O. Bangalore, is not made in order to Complete the acquisition Proceed

General and Revenue Secretariat | File No.

Serial No.

2) Dft- calling for a report- may be approved

Legal Rv 3) Appd mp 3/3

D. mi. 2/4

Issue me 4/4

2/4

2. Issued No. P. 6601 dated 13.4.31.

Subd 4) The report called for has not yet been recd A draft reminder for the same is put up

Issue mp 21/5

2/5

7086 on 4.5.31

Letter No. C.R. 5264/29-30 dated 15th July 1931 from the D.C. Bangalore enclosing a copy of the letter together with the Connected records, received from the S.D.O. B'lore.

1) This is a report on the notice issued by Mr. C.K. Gowda, Advocate on behalf of one Talguki Ramakrishnaya claiming the award for the acquisition of 2 acres 8 guntas of bagayat land said to have been acquired about 4 yrs back. It is stated that the acquisition proceedings are dragging on from 1926 on account of P.W.D. sending modified proposals. Paras 2 & 3 of the S.D.O's report will explain how the Completion of the proceedings was Continuously hampered by the Exve Engineer sending in fresh proposals. The latest requisition received from the Exve Engineer for the preparation of declaration statement is said to have been sent to the Amildar for necessary action.

It is Since nearly 4½ months the notice was ~~served~~ received from the party no reply has been sent till now. The Advocate may perhaps be informed that the claims could be settled as soon as the acqn proceedings are Completed.

Subt for perusal orders.

15D
9/9

2) Sri C.K. Gowda's notice alleges that the lands were taken possession of

by the Land acqn officer about 4 years ago. Is this a fact? If so, ~~was such possn taken~~ under what provision was such possn taken? It cannot be under sec 16 for no award has yet been made. Was it under sec 17 (1), then there must have been a direction to that effect by the Govt.

9) If once possn has been taken, there can be no withdrawal from acqn proceedings under sec 48. How can there be then any fresh proposals in this respect?

10) If however possn has not been taken, the party has no cause for grievance at the delay.

11) Please see from the records if inform on the above points are available in the records sent. If not a draft may be sent asking further inform.

requiring them to submit proposals for the award. As the first modifications were sent by the Exe Engineer (Nairobi) a formal settlement was not made. It is not clear from the records whether the [illegible] parcel is actually taken on this point it is perhaps necessary to address the D.C. Dft is put up accordingly

ISD
3/9

13) Refce paras 8 to 10 above -
Draft calling for further inform
may be approved

(Geneseg) MP
3.9.71

Done
3-9

Done
MP
3/9

General and Revenue Secretariat | File No. | of 193

| Serial No. | |
|---|---|
| 5 | Letter no. C5-5764/29-30 dated 23.9.31 from the D.C. B'lore requesting to return the records for submission of a report called for. 15/ Dfl returning the records subd SD 25/9. Issue MP 25/9 |
| 6. | Issued no P. 7885 dt 26.9.31 subd The info called for has not yet been furnished A draft for the same is put up 13/11 Issue MP 15/4 787 9 14/11/31 |

n) It Can be seen from the ~~records~~ report that the acquisition proceedings are dragging on from 1926 ... and have not been Completed Still. To this office query whether possession property was taken Some 4 yrs before alleged in the notice, it has been said that it was not taken possession and handed over to the P.W.D by the authorities and that the P.W.D. of the Office appear to have entered the land used it in Contravention of the Rules of the rule issued in G.O. dated 23.6.27 ... proved that the property are ~~illegally~~ taken possession of. Para 6 of G.O. dated 23.6.27 imposes the personal liability on departmental officer Concerned for any loss or loss caused to Govt by such illegal

A report may perhaps be called for the P.W.D. Meanwhile D.C. may be directed to Complete the acquisition

General and Revenue Secretariat — Law File No. 1/2 of 1930. 21

Serial No.

Dft subd for appl accordingly

18D 26/11

19) Ref cc: paras 8 to 11 above — The D.C. in paras 4 & 5 of the P.U. says that it is the P.W.D that has to answer for the apparent illegality committed in taking possession of lands in contravention of rule 16.

Draft calling for a report from the Ch Engr is put up for appn

Chief Secy

MRC 26/11

From,

The Chief Engineer

No. 12064 dated 3rd March 1931 forwarding copy of the letter together with its enclosure received from Supt. Engineer Ryve Circle, explaining the circumstances under which the work was undertaken before formal acquisition proceedings were taken and pointing out that there was no delay on the part of the P.W.D in sending the acquisition statements and requesting the Rev. authorities to settle the question of Compensation.

2) Reference is invited to para 19 Supra. The D.C. in his detailed report dated 19.12.31 has clearly pointed out that the acquisition proceedings have been held up owing to the frequent changes in the proposals received from the P.W.D. In para 3 of the Superintending Engr letter, it is stated that since the acquisition proceedings were Countersigned and returned to the D.C. as soon as the work was started in Dec'31 the action of the P.W.D. in entering on the lands in question may not be held to Contravene the Standing orders as the whole of the proceedings was merely a matter of routine

3) This action of the departmental officers is quite in Contravention of Rule 11 of Annexure I to G.O. dated 23rd January 1931, which imposes particular care to see that the possession of the land was formally made over by the Rev. Dept after settlement and payment of Compensation.

Acquisition of Properties for the Deviation of Madras - Cuddalore R.d at Kanyur. 10

405

General and Revenue Secretariat | Govt File No. 112 of 1930. | [App. F. III—2

Serial No.

The Executive Engineer has over points out that the work was proceeded on account of urgency as per orders of the P.W. Secretary on the assumption that requisite action for the acquisition had been taken by the Rev. Dept.

2) Even on this ground the action of the P.W.D. cannot be held to be correct, because acquisition in such urgent cases has to be made under the provisions of Sec 17 of Acqn Regn and the D.C. should not accept under the orders of Govt take possession of land before all the preliminary steps prescribed have been taken.

3) Under these circumstances the D.C. may be requested to make early payment of the award with interest, which is to be borne by the P.W.D. according to Rule 16.

Submitted for orders.

ISD 7/3.

4) Refer paras 8 to 11 and 19 supra. It is now clear that the taking over of possession of the land in question was illegal and Govt become liable for compensation. The difficulty may be got over if the D.C expedites the acqn proceedings and pays compensation without delay. If approved he will be informed accordingly.

Dev Secy)

DMP
9.8.32

5) In a matter of this kind where land has been taken possession of before award, it was impossible to have

File No: 193 General and Revenue Secretariat

delayed completion of Calgn. proceedings - action should have been taken under Sec 17 of Bd. a. Rgn. The only way to save the situation would be as pointed out by the Asst Sec' & make the Award and pay the same and also meet the cost of any such Compensation that might arise. This may be advised.

2nd memo)

MS
10/3

pnf
W/3

2) will see/please speak to me about 5? apparent fatal mistakes have yet to be knitted - and there is much discrepancy wherein the reports for the Dev of P.W. ars

28) Two drafts are submitted for considera & orders — one to the chief Engr & the other to the Rev Comr copy of the letter is proposed to be sent to the D.C. Bangalore with refce to his letter dt 19-12-31.

Gen Secy)

Dev Secy)

2nd member)

For perusal before issue

3)

Issue

the in accuracies in re: the acquisition Statements
and informing to fix the responsibility for the
delay and negligence in the preparation of the Statem
nts and report to your end.

To.

The R. C. in Mysore

No. P. 5674 dated 26.3.32 forwarding certain
papers regarding the claim and stating that it is
regrettable that the acq: Proceedings have been
delayed so long and requesting to see that the
matter is expeditiously disposed of.

Copy to the D.C. Bl'ore.

Acquisition of certain properties for the de
road at Kengi

| General and Revenue Secretariat | File No. | of 193 | [App. F. |
|---|---|---|---|

| Serial No. | |
|---|---|

From,

The Chief Engineer

no. 15403 dated 6.6.32 forwarding for infor
Copy of the letter dated 30.4.32 from the
Exe Engineer, B'lore Division explaining
the Circumstances under which the lan
referred to were taken possession of bef
they were acquired under the L.Acq=
and stating that final Statements hav
been signed by the Exe Engineer and
forwarded to the DC for early action

3rd) Reference para 24-27 Supr

Para 1-5 of the Exe Engineers letter gav
the Circumstances under which the dispo
of the acquisition proceedings was delaye

It is stated in para 6 that the Dept
took prompt action for the acquisition
lands sufficiently early in view of the urge
as stated by Govt and that the delay
the disposal of the question was due partly
the Change of Sanctioned alignment an
partly to the revision of the declaration
Statements more than once.

P 5747

General and Revenue Secretariat | File No. of 193 | [App. F. III—2

Serial No.

Submitted with a note as directed

32) The case relates to a notice issued on behalf of Mr Talanki Ramakrishnaiya complaining that 2 acres and 2 guntas out of bagayat land S. no 47 of Kengeri Village have been taken possession of for the deviation of a road without payment of compensation and claiming a sum of Rs 1640 as compensation and Rs 390 as interest thereof for about 4 years.

The reports in the matter were called for from the Chief Engineer and the Deputy Commr Bangalore district. The Secretary to Council in his minute dated 10/3/32 observed that there was much discrepancy between the reports from the Revenue and Public works depts and under the personal instructions received, the Development Secy on 10/3/32 directed that the responsibility for the negligence in the matter of the preparation of the necessary statements etc should be fixed

33) The Chief Engineer was accordingly addressed and told on 26/3/32 that it was necessary that the responsibility for the delay and negligence in the preparation of statements etc in the case should be fixed and reported to Govt. The Chief Engr has now forwarded a letter from the Ex. Engr dated 30/4/32 which he says that [illegible]

have prompt action sufficiently early before the work was commenced and that the delay in the disposal of the case was due partly to the change of sanctioned alignment and partly to the revision of the declaration statements more than once on account of certain differences between the area of the land entered in the preliminary notification and the measurements taken by the Rev Inspect

SS
12.6.32. ors) Sowa with reference to the oral instructions of the Hon Secy

12/6/32 Hon Secy

Recommended

RS
16/6/32

Acquisition of certain properties for the diversion Road at Kengeri.

5747 17

General and Revenue Secretariat | Land File No. 112 1936 | [App. F. III—2

TYPING SECTION 21 JUN. 1932 & REV. SECT.

Serial No.

Please

2 dfts Subs accordingly.

ISD 21/6.

Issue MY 21/6

To,

The D.C. B'lore

No. P. 7270. dated 25.6.32 forwarding a copy of the B'lore Executive Engineer's letter and enquiring the cause for the delay in his office in taking prompt action.

To

The Revn Comr

No. P 7271 d 25.6.31 inviting ref to this office letter dated 26.3.32 and enquiring how the matter stands at present

From

The R.C.

No. C.3573/31.32 dated 7th July 1932 stating that the D.C. B'lore intimates that necessary notifications under the L. Acqn Regn have been sent to the Exve Engineer for obtaining Govt's sanction on 29.4

Subs for perusal

D.C.'s reply to this office letter dated 25.6.32 awaited

ISD 9/7

No) The Exve Engineer says he sent a Rr on 29.4 The D.C. says in his letter of 29.4.32 that he has

5747/V/48

File No.

pass the necessary notifications to the Exec: Engineer for obtaining Govt. sanction. It is not known whether such sanction has been given as yet or not. Under para 7 of G.O. dtd 22nd June 1927 it is the D.C. that has to submit for sanction of Govt. Please examine these points & note.

(Sd) NRJ 9/7

(2) It is true that para 7 of the G.O. dated 22nd June 1927 authorises only the D.C. to send up notifications etc for the sanction of Govt. Since it is said that first notifications etc were sent to the Exec Engineer on 29th April '32 L.S.G.Bn. may perhaps be enquired whether sanction of Govt has been accorded to the acquisition of the property in question.

ISD 15/7

(3) In the recent Gazettee of July 14th, at page 52 the final Declaration with respect to this property is published in Notfn No: 13-15-S. dated 6th July 1932 issued from the P.W. Sectt.

(4) D.C's reply as to the delay referred to in the 2nd member's minute of 17.6.32 above is still awaited.

Notice re: Acquisition of certain properties for the deviation Road at Bhagi. 19

[App. F. III—2

General and Revenue Secretariat | File No. | of 193

Serial No.

Subj: with a dft Rly to the D.C. B'lore

ISD 28/7

Issue 20/7

Issued no. P. 455 d 22.7.32

20 JUL 1932 GENL. & REV. SECTT.

From,

The D.C. B'lore.

no. C.S.-SR-64/31,30 dated 14th July 1932

Explaining the Circumstances under which the transmission of the notifications was delayed and stating that Govt have since sanctioned the acqn in their order dated 4.7.32 and that the S.D.O B'lore has been requested to take immediate necessary action in the matter

Subj: for perusal with reference to the Member's minute in para 3b Supra.

ISD 21/7

As the D.C observes, there was a delay of about a couple of months in the Issue which could perhaps have been avoided

Now that the final declaration is published, a reply has to go to Mr: C.D. Gowda's notice referring him to the said decln. This is necessary since he has been told in letter P 7584/ dated 22/3/32 that the matter is under enquiry.

For the present, no further action

File No. of 193 Secretariat

beyond this, appears to be necessary.

A draft reply is put up.

Submitted for perusal & orders.

2nd member)

MNP
26.7.32

OFFICE OF THE
SECRETARY TO MEMBER OF COUNCIL
27 JUL 1932
No. 834

appd
by
MNP
Issue
MNP
28.7.32

TYPING SECTION
28 JUL 1932
GENL. & REV. SECTT.

C. L. GOUDA, B.A., B.L.,
ADVOCATE.

Bangalore City, 18-3-31.

To

The Chief Secretary
to the Govt. of H. H. The Maharaja of Mysore,
Bangalore.

112-30-1

Sir,

I am instructed by my client Mr. Talamki Ramakrishnaiya, son of Talanki Adeppa, to intimate to you (which I hereby do) as follows:-

Whereas the S.D.O., Bangalore, has, as Land Acquistion Officer, taken possession of 2 acres 2 guntas out of bagayat land S. No. 47 of Kengeri, belonging to the joint family comprising the late T. Adeppa and my client, and whereas though the Land Acquisition Officer took over possession about 4 years ago no award has been made by him as yet as required by law and has thus left the acquisition proceedings incomplete in spite of repeated petitions submitted by Adeppa and by my client, I hereby request that the Govt. will be pleased to see that the acquisition , i.e., the award, is completed within 2 months from this date

(P.T.O.)

Appendix F G—1

SUBJECT.....

.....

.....

Section Land

File No. 112 - 30

Serial No. 7

*Diary No. of letter replied to*.....

No. P6601 (1)

General and Revenue Secretariat

( )

*the* *193*

To

The Deputy Commr Bangalore

Date of issue 13/4/31

Signed by.....

Sir,

I am directed to forward herewith a Copy of the notice dated 18th March 1931 by Mr. C. L. Gard Advocate Bangalore on behalf of Mr. Talanki Ramakrishnaiya re: acquisition of certain properties at Kengeri by S. D. O. Bangalore, and to request you to ~~enquire and~~ forward with necessary records, a report in the matter for [illegible] weeks from this d[illegible]

Appendix F G–1]

SUBJECT .....

.....

.....

*Diary No. of letter replied to* .....

General and Revenue Secretariat

( )

*the* *193*

Date of issue 22/5

Signed by Mr P.T.

Section

File No.

Serial No.

No. P 7576

To C. Gowda Esq BA BL,
Hon. Secy

Sir I am directed to acknowledge the receipt of notice on 18.3.31 on behalf of Mrs Talanki Ramakrishnayya regarding the acquisition of certain properties at Kuyeri to state that the matter is under enquiry

I have &c.

DMG
vrs Dr. S. Lo

In all future communications please quote
No. C.-5264/29-30
Enc

*Tel. Address.*—"DEPCOM"
*Post Box No. 34.*

OFFICE OF THE DEPUTY COMMISSIONER,
BANGALORE DISTRICT.

*Dated, Bangalore, the* ....12th..May.....*193* 1.

FROM K. V. Anantaraman, Esq., B.A.,

*Deputy Commissioner,*
*Bangalore District.*

TO P. Mahadevayya, Esq., B.A., B.L.,

Law *Secretary,*
*to the Government of Mysore.*

Bangalore.

SIR,

**Subject**:—

With reference to your letter No.J.7086/Law dated 4-5-1931 calling for a report on the notice from Mr. C. L. Gowda, Advocate on behalf of Mr. Talank Ramakrishnayya, regarding the acquisition of certain properties at Kengeri, I have the honor to state that a detaled report has been called from the Sub Division Officer, Bangalore, and the same has not yet been received in this office. He has this day been requested to expedite its submission. On its receipt from him, a report will be submitted in the matter.

I have the honor to be,
Sir,
Your most obedient servant,

A. Subba Rao

For Deputy Commissioner,
Bangalore District.

(Absent from station)

OFFICE OF THE DEPUTY COMMISSIONER,
BANGALORE DISTRICT.

5-

*Dated, Bangalore, the*.....15th..July.....19

Law 42-30-3

GEN. & REV. SECTT. L 349 20 JULY 1931 L. S. G. BRANCH.

K.V.Anantaraman,Esqr., B.A.,
*Deputy Commissioner,*
*Bangalore District.*

N.Madhava Rao,Esqr., B.A., B.L.,
Chief *Secretary,*
*to the Government of Mysore.*
Bangalore.

**Subject :—**

In continuation of this office letter No.C5-5264/29-30 dated 13-5-1931 re. the submission of a report on the notice issued by Mr.C.L.Gowda, Advocate, on behalf of Mr.Talank Ramakrishnayya regarding the acquisition of certain properties at Kengeri by the Sub Division Officer Bangalore, I have the honour to enclose herewith for information a copy of letter No.B1-727/29-30 dated 23-6-193 together with the connected records received from the Sub Division Officer, Bangalore on the above subject.

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner
Bangalore District.

2/

Letter No.B1-727/29-30 dated 23rd June 1931 from the Assistant Commissioner, Bangalore Sub Division, to the Deputy Commissioner, Bangalore District.

*****

1) With reference to your No.C.5-5264/29-31 dated 18th April 1931 re. the acquisition of lands for the deviation road at Kengeri, I have the honour to state that the acquisition proceedings are dragging on from 1926 on account of the Public Works Department sending modified proposals for acquisition. A brief history of the case will show how the acquisition work has been hampered from time to time by the Public Works Department.

2) Acquisition proceedings in respect of lands for the deviation road was sanctioned under G.O.No.P.W.166-168-1270-1272 dated 29th October 1926. In accordance with this order all necessary action under Land Acquisition Regulation was taken and final awards were passed on 14th December 1926. The award statements were then transmitted to the Executive Engineer for countersignature to enable this office to draw money and make payments to the parties concerned. This was detained by the Executive Engineer for nearly 9 months and returned without countersignature and with fresh proposals for acquisition. In accordance with the revised statement proposals were submitted to you with this office No.L.A.C.14to 21 dated 7th October 1927 and orders were received for the submission of fresh declaration statements which were duly prepared and transmitted with this office No.L.A.C.14 to 21 dated 6th December 1927. The Executive Engineer was also addressed by your office to obtain sanction of Government for the newly proposed lands. The Executive Engineer however returned the declaration statements 5 months thereafter making further modifications in the statement of the lands to be acquired. Again declaration statements were sent from this office with No.L.A.C.14 to 21 dated 24th July.1928. But these were again sent direct to the Amildar from whom fresh statements were obtained on 26-4-29 and the same were transmitted to the Executive Engineer by your office requesting him to obtain Government sanction for the acquisition. Government orders were thereafter obtained (vide G.O.No.2354-6/3372-4 dated 9th January 1930).

(3) Some descrepancies having crept in the notification published, a reference was made from this office No.B.1-727/29-30 dated 11th March 1930 for getting the notification corrected. Orders in this respect have not yet been received. In the meanwhile the Executive Engineer has again sent a fresh statement of lands to be acquired and fresh declaration statements have been called for. It will thus be kindly seen that the acquisition proceedings have been needlessly dragged on on account of incorrect statements furnished by the Executive Engineer and on account of their sending the fresh proposals at every turn. Records are herewith submitted for favour of kind perusal and orders. The latest requisition received from the Executive Engineer for the preparation of declaration statements has been sent to the Amildar for necessary action

. Anantaraman, Esq., B.A.,
*Deputy Commissioner,*
*Bangalore District.*

To

R. Ranga Rao, Esq., B.A.,B.L.,
Chief *Secretary,*
*to the Government of Mysore.*
Bangalore.

SIR,

**Subject:—**

With reference to your letter No.P.790/Law. dated 7-8-1931 regarding the report on the notice issued by Mr. C.L. Gowda, Advocate on behalf of Mr. Talanki Ramakrishnaiya for the acquisition of certain lands at Kengeri by the Sub Division Officer, Bangalore, I have the honour to state that the report together with the connected records has been submitted with this office letter No.C5-5264/29-30 dated 16-7-1931.

D.349

I have the honour to be,

Sir,

Your most obedient servant,

Deputy Commissioner,
Bangalore District.

G. R. S. III—3]

## ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

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received in this Branch on 20th July 1931, and they were transferred to the P.W. Section for disposal on 24th July 1931.

21/8/31. [illegible]
Prohn. Br.)

24.8.31

To

P. W. Sect for favour of putting up the records early

ISD
24/8.

[illegible]
24/8

The records are here with papers as received.

Appendix F G—1]

SUBJECT .....

.....

.....

Section Law

File No. 112-30

Serial No. 4

*Diary No. of letter replied to* .....

No. P 1467

To The D.C. B'lore

Sir

General and Revenue Secretariat

( )

*the* *193*

With reference to the Correspondence ending with your Law no CS-5164/29-30 dated 15th July 1931 submitting a ~~forwarding the~~ ~~requesting the~~ report on the ~~record Connected with the~~ notice issued by Mr C.L. Gowda, Advocate on behalf of Mr Talanki Ramakrishna re: the acqn of certain properties in Kengeri by the S.D.O. Bangalore, I am directed to enquire whether possession of the lands in question was taken from the party in as alleged in Mr C.L. Gowda's notice

Date of issue 5/3/31

Signed by Mr [illegible]

List of enclosures .....

was taken, though no award is yet made, may kindly be pointed out.

The matter ~~may kindly be~~ has to be treated as immediate and the information required sent within a week since a reply ~~is long overdue~~ to the notice is long overdue.

K. V. Anantaraman, Esq., B.A.,

Deputy Commissioner, Bangalore District.

With reference to the correspondence ending with your letter No. C.5-5264/29-30, dated 15th July 1931, submitting a report on the notice issued by Mr. C.L. Gowda, Advocate, on behalf of Mr. Talanki Ramakrishnayya re. the acquisition of certain properties at Kengeri by the Sub Division Officer, Bangalore, I am directed to enquire whether as alleged in Mr. C.L. Gowda's notice possession of the lands in question was taken from the party some four years before. If so the provision of law under which such possession was taken, though no award is yet made, may kindly be pointed out. The matter has to be treated as immediate and the information - - required sent within a week since a reply to the notice is long overdue.

I have the honor to be,
Sir,
Your most obedient servant,

for Secretary to Government,
General Department.

In all future communications please quote
No. C5-5264/29-30.
Enc :

*Tel. Address.*—"DEPCOM"
*Post Box No. 84.*

OFFICE OF THE DEPUTY COMMISSIONER,
BANGALORE DISTRICT.

*Dated, Bangalore, the* 23rd September ....1931.

Law 112. 3/. 5

FROM

K.V.Anantaraman,Esqr., B.A.,
*Deputy Commissioner,*
*Bangalore District.*

GENERAL SECRETARY
24 SEP 1931
Law

H.V.Ramaswami,Esqr., M.A., B.L.,
General *Secretary,*
*to the Government of Mysore.*
Bangalore.

SIR,

**Subject:—**

With reference to your letter No.J.1467/Law dated 5-9-1931 calling for a report as to the authority under which the lands required for the deviation Road at Kengeri were taken possession of before the award order was passed, I have the honour to state that the Sub Division Officer, Bangalore who was asked to submit his report in the matter states in his letter No.B1-727/29-30 dated 16-9-31 that in the absence of records it is not possible to furnish the information required, and requests that the records may be sent to him for reference. I therefore request you to kindly return the records sent with this office letter No.C5-5264/29-30 dated 16-7-31 at an early date.

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Bangalore District.

Appendix F G—1]

SUBJECT .....

.....

.....

*Diary No. of letter replied to* .....

General and Revenue Secretariat

( )

*the* *193*

Date of issue 26/9/31

Signed by N. Ray

**Section**

**File No.** 112. 30

**Serial No.** 6

No 7785 Revenue

To The D.C. B'lore.

Sir,

With reference to your letter No. C.S. 5264/29-30 dated 23rd Sept 1931 I am directed to return herewith the entire records re: the acquisition of certain properties at Kengeri by the S.D.O. Bangalore forwarded with your letter No. C.S. 5264/29-30 dated 16.7.31 and to request that the matter may kindly be ~~expedited and~~ information required may be furnished immediately

Re. the acquisition of certain properties for th
deviation road at Kengeri.

1) With reference to the correspondence ending with your lette
No.J.2781/Law dated 14-11-1931 on the above subject, I have the
honour to state as follows:-

2) The Executive Engineer, Bangalore Division while forwarding
his letter No.677 dated 24-8-27 a tracing and a statement of lan
to be acquired for the deviation, requested a valuation statemen
A reply was sent to him with this Office letter No.C5-634/26-27
dated 13-9-1926 that the cost of acquisition excluding the Sixt
per allowance at 15% was estimated at Rs.702/- and that the de
laration statements might be duly countersigned and sent back for
obtaining Government sanction. The declaration statements were
sent to the Secretary, Public Works Department, for obtaining
Government sanction to the acquisition with this office letter
No.C5-634/26-27 dated 7-10-26. The Government sanctioned the
acquisition of the properties recommended, in their Lr.No.P.W.
166-168/1270-1272 dated 29-10-26. Thereafter the recommended pa
cels were sent to the Personal Assistant to the Deputy Commissio
in charge of Bangalore Taluk who was appointed as the Land Acqui-
sition Officer with this office Memo No.C5-T.634/26-27 dated 11-1
26 for immediate action. The Land Acquisition Officer passed an
orders on 14-12-26 and sent the same to the Executive Engineer o
29-1-27 for his countersignature and return. The Executive Engi
neer, Bangalore Division returned the award statements without
countersignature with his letter No.677 dated 22-2-1927 to the Se

lore accordingly submitted the necessary revised declaration statements to this office with his Memo no.L.A.C.14/26 dated 26-12-27 and the same was sent to the Secretary, Public Works Departmer this office letter No.C5-278/26 dated 10-2-28 for obtaining Government sanction to the acuqisition. The Superintending Engineer, Mysore Circle returned the records sent with this office letter referred to above together with a copy of a modified statement of lands actually required to be acquired for the above work with his letter No.829 dated 24-5-28. As requested by him necessary revised statements were obtained from the Sub Division Officer, Bangalore, an forwarded to the Executive Engineer on 26-4-29 for return after verification and countersignature. He returned thesame with his countersignature with his letter No.1487 dated 25-11-29 for being transmitted to the Superintending Engineer, Mysore Circle. The connected records together with the declaration statements were accordingly transmitted to him with this office letter No.C5 26 dated 30-11-29. Thereafter the Government sanctioned th sition of the properties mentioned in these statements in th No.P.W.2354-6/8372-4 dated 9-1-30 and the connected records were received back from the Executive Engineer with his letter No.2151 dated 28-1-30 and the same were forwarded to the Sub Division Officer, Bangalore with this office Memo No.C5-R.Dis.278/26 dated 5-12-30 for taking prompt further action in the matter. He submitted the declaration statements together with the connected records with his memo No.B1-727/29-30 dated 12-5-30 and these were forwarded to the Executive Engineer with this Office letter No.C5-5264/29-30 dated 14-7-31. While doing so it was stated that the Land Acquisition Officer, Bangalore had reported in his letter No.727/29-30 dated 1-3-30 that the notification published on page 101, part II of the Mysore Gazette dated 23-1-30 was only a preliminary notification under Sections 4 and 5 A of the Land Acquisition Regulation while sanction for the acquisition had been accorded in G.O.No.P.W.2354-6/8372-4

for the road as per measurements taken by the Revenue Inspector is reported to be 1 acre 31 guntas and 25 sq. yards This has been pointed out to the Executive Engineer in this office letter No.C5-5264/29-30 dated 12-11-31 already referred to above.

4) As regards the petitioner's contention that his land was taken possession of about 4 years ago and yet no award has been made etc, the Sub Division Officer, Bangalore who was addressed in the matter, reports in his letter No.B1-727/29-30 dated 3-10- (copy enclosed) that the property was not taken possession of and handed over to the Public Works Department by the Revenue Authorities.

5) The Public Works Department authorities appear to have entered upon the land and used it before it was formally made over to them by the Revenue Department, quite in contravention of rule 16 of the rules issued in annexure 1 to G.O.No.R.173-233.L.R.21-2 dated 23-6-27 and as such, it is for them to answer the question why they took the possession of the land before it was handed over by the Land Acquisition Officer.

The connected records also accompany.

I have the honour to be,
Sir,
Your most obedient servant,

S. Rangaiah

For Deputy Commissioner,
Bangalore District.
(Absent from Station).

Mb 7.12.31

Appendix F G—1]

SUBJECT .....

.....

.....

Section Law

File No. 1/8.30.

Serial No. 8

*Diary No. of letter replied to* .....

No. 3577(3)

To The Chief Engineer

Subject:- Notice under Sec 50 C.P.C.

General and Revenue Secretariat

( )

*the* *193*

issued by Mr. C. L. Gurda Advocate, Bhar

on behalf of Mr Talanki Ramakrishnaraya

Date of issue 30/12/31

re: the acquisition of certain properties

for the deviation Road at Kengeri

Signed by Mr Gray

Sir,

I am directed to

Copies of

1) notice issued by Mr. C. L. Gurda

2) Letter No. P 1467 dated 5-9-31.

3) Para 4 & 5 of the D.C.'s letter dated 19th Dec 1931.

forward herewith the marginally noted papers re: the above claim and to request you to submit report whether your Department ~~for information of Govt a report~~ ~~took entered into~~ possession of ~~explaining why and under what~~ the lands

List of enclosures .....

Circumstances the possession of the

Copied by .....

properties in question was taken over before they have to were duly ~~by the Rev Department in Contravention~~ acquired and if so why & under

Examined by .....

of ~~sub~~ rule 16 of the rules issued in

21

Annexure I to Q.O. No. R. 173-233. L.R. 21-26 dated 23-6-78 ~~as per~~ para 4 and 5 of the D.C.'s letter ~~dated~~ No. C5-5164/29-30 dated 19th Dec 1984

The matter may kindly be treated as urgent

I have ere

180 26/12

MP 26/12 Ch. Secy

What circumstances such action was taken in contravention of rule 6 of the rules issued in

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

*Dated, Bangalore,* 29th December 1931.

*No.*

*From* H. Madhava Rao, Esq., B.A., B.L.,
~~R. RANGA RAO, Esq., B.A., B.L.,~~
*Chief Secretary to the Government of His Highness the Maharaja of Mysore.*

*To*

The Chief Engineer of Mysore,

Bangalore.

~~Six~~

Subject:- Notice under Section 80 C.P.C. issued by Mr. C.L. Gowda, Advocate, Bangalore, on behalf of Mr. Talanki Ramakrishnaiya, re: the acquisition of certain properties for the deviation Road at Kengeri.

---

S i r,

I am directed to forward herewith the* marginally noted papers re: the above claim and to request you to report whether your Department took possession of the lands in question before they were duly acquired and if so why and under what circumstance such action was taken in contravention of rule 16 of the rules issued in annexture 1 to Government Order No.R. 173-233 L.R. 21-26 dated 23rd June 1927.

The matter may kindly be treated as urgent.

I have the honour to be,

S i r,

Your most obedient servant

Copies of
(1) Notice issued by Mr. C.L. Gowda
(2) Letter No.P.1467 dated, 5-9-31.
(3) Paras 4 & 5 of the Deputy Commissioner's letter dated 19-12-1931.

Tel. Add: "MYSORWORKS"

No. 9647

Enc.

**Public Works Department,**

**Central Office,**

*Dated, Bangalore, 8-1-1932.*

From

M. G. RANGAIYA, Esq., B.A., B.E., M.R. San. I., M.Am. A.E.,
*Chief Engineer of Mysore,*
*Bangalore.*

To

N. Madhava Rao, Esq., B.A., B.L.,
Chief Secretary to Government,
BANGALORE

Sir,

ACQUISITION OF PROPERTIES FOR THE DEVIATION ROAD AT KENGERI.

With reference to your letter No. P. 3577/Law. dated the 30th December 1931, enquiring whether this Department took possession of the lands before they were acquired, I have the honour to inform you that the Superintending Engineer, Mysore Circle, has been requested to submit a report in the matter and on receipt of which the information required will be furnished.

I have the honour to be,
Sir,
Your most obedient servant,

M G Rangaiya

CHIEF ENGINEER OF MYSORE.

11336

ysore Public Works Department,
Central Office, 24

*Dated Bangalore, 13th February 1932.*

From

The *Chief Engineer of Mysore,*
*Bangalore.*

To

The Chief Secretary to Government,

Bangalore.

Law
CHIEF SECY.
1 FEB. 1932

Subject:- Acquisition of properties for the deviation road at Kengeri.

Sir,

With reference to your letter No.P.4186/Law. dated the 6th February 1932, on the above subject, I have the honor to inform you that the report called for is awaited from the Superintending Engineer, Mysore Circle and will be forwarded on receipt.

I have the honor to be,
S I R,
Your most obedient servant,

V. Lakshmanachar
For Chief Engineer of Mysore.
13.2.32

4057/31
25

Tel. Add: "MYSORWORKS"

No. 12064

Enc. 4 copies plates.

**Public Works Department,**

**Central Office,**

Dated, Bangalore, 29 March 1932.

Law 112.30.9

From

M. G. RANGAIYA, Esq., B.A., B.E., M.R. San. I., M.Am. A.E.,
*Chief Engineer of Mysore,*
*Bangalore.*

R.Ranga Rao, Esq., B.A., B.L.,

Chief Secretary to Government, Bangalore.

Subject:- Acquisition of properties for the deviation of Madras - Cannanore Road at Kengeri.

---

Sir,

In continuation of this office letter No.11336-7 dated the 13th February 1932, I have the honor to forward herewith, a copy of letter No.A.2017 of the 22nd idem, together with copies of its enclosures received from the Superintending Engineer, - Mysore Circle, explaining the circumstances under which the work of deviating the Madras - Cannanore Road at Kengeri was undertaken before formal acquisition proceedings were taken. In the first instance, there was no delay on the part of the Public - Works Department in sending the acquisition statements & requesting the Revenue Department to settle the question of compensation. The subsequent proceedings seem to have been delayed in the - Revenue Department. The Executive Engineer, Bangalore Division, reminded the Deputy Commissioner in June 1927, requesting him to pay the amount of compensation before June 1927, as otherwise, it would lapse, but the question was not settled and the grant lapsed.

2. Interest may perhaps have to be paid with effect from the date the lands were actually taken possession of.

I have the honor to be,
S I R,
Your most obedient servant,

M G Rangaiya

Chief Engineer of Mysore.

1/3/32

Letter No...317 dated 22nd February 1932, from the Superintending Engineer, Mysore Circle, to the Chief Engineer of Mysore, Bangalore.

---

Re:- Acquisition of properties for the deviation of Madras - Cannanore Road atKengeri.

---

With reference to correspondence ending with your Memo. No.11337 dated 13-2-32, I have the honor to submit herewith a copy of Bangalore Division Executive Engineer's letter No.1424 dated - 20-1-32 along with copies of two letters referred to in para 2 - thereof, for your kind consideration.

2 It is seen that the declaration statement was countersigned by the Executive Engineer and forwarded to the Deputy Commissioner in Executive Engineer's letter No.689 dated 28-9-1926 and that the statements were not received back from the Revenue Sub - Division Officer in January 1927, and were neither traceable in the Division Office. The advantage of paying the acquisition charges before the close of the official year 1926-1927 was also pointed out to the Deputy Commissioner, and what further action was taken on Executive Engineer's letter No.2824 dated 29-6-1927 stating the statements were not received in his office and as such payment cannot be arranged for, is not apparent. There was ample opportunity for the Revenue Department to have taken timely action to get fresh statements prepared if the original were lost and to settle the compensation question.

3 The work is seen to have been started in December 1926 and the acquisition statements were countersigned and returned to Deputy - Commissioner long prior to it in September only of that year, the action of the Public Works Department in entering on the lands in question may not be held to controvene the standing orders, as further proceedings of acquisition was merely a matter of routine.

The Executive Engineer has been asked to explain whether the estimate has been closed and if so how it was done without loss of the compensation charges provided for in the sanctioned estimate. The Executive Engineer could have urged the Revenue Department to take proceedings and it is regretted that it was omitted to be

done, but I am of/opinion that since the acquisition statements were returned countersigned to the Revenue Department, that it is for the Revenue Department to explain rather than for Public Works Department as stated in the Deputy Commissioner's letter.

The three other enclosures received with your letter are herewith resubmitted.

---

" COPY "

W. Narasimmaiah

or Chief Engineer of Mysore.

1.3.32

Letter No.1424 dated 30-1-1932, from the Executive Engineer, Bangalore Division, to the Superintending Engineer, - Mysore Circle,.

---

Re: Acquisition of properties for the Deviation Road at Hengeri.

---

With reference to your Memo No.M.7189 dated 17-1-32 forwarding for report copy of Chief Engineer's letter No.9647 dated 8-1-32, addressed to the Chief Secretary as to whether th Department took possession of the lands before they were acquir I have the honor to state as follows:-

In Public Works Secretary's letter No.632 dated 26th November 1926, an estimate for Rs 3,720/-, was sanctioned for th deviation of the Madras - Cannanore Road between Miles 3/10 and 6/10 near Hengeri and in view of its urgency the work was order to be put in hand and completed very early. The tenders were immediately called for and the work was put in hand in December 1926, so as to complete it before February 1927 as reported to Chief Engineer in this office letter No.2824 dated the 15th - December 1926. From copy of this office letter No.2824 dated - 29-6-1927 to the Deputy Commissioner, Bangalore, the valuation statements of lands proposed to be acquired for this purpose - appear to have been countersigned and returned to that officer by this office in September 1926 alone so that he may get the declaration statements prepared and take action for the acquisition before this department could enter the lands. The Deputy Commissioner was again addressed in this office letter No.2741 dated 22-6-1927 to take action for the payment of compensation before June 1927. Copies of the two letters referred to are enclosed for kind information. This office is not aware as to why the Revenue Department could not take action then and there to discharge this liability before any complaints could be - received from the owners of the lands. This Department appears to have proceeded with the work forthwith on account of urgency as per orders of the P.W. Secretary on the assumption that the - requisite action for the acquisition had been taken by the ..

the Revenue Department to whom the valuation statement had been returned countersigned before i.e., in September 1926.

The three enclosures received with your Memo are submitted herewith.

Letter No.2624 dated 29-6-1927 from the Executive Engineer, Bangalore Division, to the Deputy Commissioner, Bangalore District.

---

Compensation payable for lands acquired for Madras - Cannanore Road - Kengeri side.

---

With reference to your letter No.C.5.278-26 dated the 26th instant, I have the honor to state that the valuation statements were returned with countersignature with this office No.[illegible] dated 28-9-1926. They were not received in this office from the office the Sub Division Officer during January 1927.

As the statements are not traceable, the amount cannot be paid this year and will be lapsed

---

Letter No.2741 dated 22-6-1927 from the Executive Engineer, Bangalore Division, to the Deputy Commissioner, Bangalore District.

---

Re: Compensation payable for the acquisition of lands for deviating Madras - Cannanore Road.

---

I have the honor to inform you that a sum of Rs. 1,000 has been provided for in the sanctioned estimate, and to enquire as to whether payment has been made to the owners of the lands acquired. The Chief Engineer has sanctioned the estimate for Rs. 3,720/-, with full appropriation for the current year and the work account cannot be closed unless this question is settled. This may be treated as very urgent and a reply sent immediately. It would be advantageous to pay the amount before the close of the official year without allowing the sanctioned amount to lapse.

---

"COPIES"

N Lakshmanachar

For Chief Engineer of Mysore

13-32

Appendix F G—1]

SUBJECT .....

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the 193

Date of issue 26. 3. 32

Signed by Mr. CSJ

List of enclosures .....

Copied by .....

Examined by .....

Dft-I Section Law
File No. 112.30.
Serial No. 10

No PS 673. Snels. 4.

To The Chief Engineer of Mysore
Bangalore.

Sir,

Acquisition of certain properties for the deviation of ~~State Communication~~ Road at Kengeri

With reference to your letter No: 12064 dated 3rd March 1932, explaining the circumstances under which certain private lands at Kengeri were taken possession of by your department before they were duly acquired under the Land Acqn Regulation, I am directed to point out that the action of the officers concerned in entering upon such lands in contravention of rule 16 of the rules issued in annexure, to Govt

order No: R. 173-231/L.R. 21-26 dated 23rd June 1927 was illegal and makes the Officer or Officers concerned responsible for any Compensation in the shape of interest that Govt may have to pay on this account.

As regards the responsibility for the inordinate delay in taking acquisition proceedings in this case, I am to forward for reference a Copy of the Bangalore Deputy Commissioners letter No: CS-5264/29-30 dated 19th Dec 1931, which shows that the delay is not due to inaction on the part of the revenue authorities but due mainly to the shifting position taken up by P.W.D. Officers from time to time. Even now a final reply does not seem to have been furnished in the matter and I am directed to request you to see that very urgent action is taken to rectify the inaccuracie

and that these Statements are sent to the Deputy Com^r promptly.

It is very necessary that the responsibility for the delay and negligence in the preparation of Statements etc in this case should be fixed and reported to Govt at an early date.

I have etc

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

*Dated, Bangalore,* 24th March 1932.

*No.* P 567 / 26

*From* H. V. Ramaswami Esq., M.A., B.L.,

Offg: *General Secretary to the Government of His Highness the Maharaja of Mysore.*

*To*

M. G. Rangiah Esq., B.A., B.E.,
Chief Engineer of Mysore, Bangalore.

Sir,

Acquisition of certain properties for the deviation road at Kengeri.

---

With reference to your letter No.12064 dated 3rd March 1932, explaining the circumstances under which certain private lands at Kengeri were taken possession of by your Department before they were duly acquired under the Land Acquisition Regulation, I am directed to point out that the action of the officers concerned in entering upon such lands in contravention of rule 16 of the rules issued in annexure 1 to Government Order No.R.173-233/L.R.21-26 dated 23rd June 1927 was illegal and makes the officer or officers concerned responsible for any compensation in the shape of interest thatGovernment may have to pay on this account.

As regards the responsibility for the inordinate delay in taking up acquisition proceedings in this case, I am to forward for reference a copy of the Bangalore Deputy Commissioner's letter No.C.5-5264/29-30 dated 19th December 1931, which shows that the delay is not due to inaction on the part of the revenue authorities but due mainly to the shifting position taken up by Public Works Department Officers from

time to time. Even now a final reply does not seem to have been furnished in the matter and I am directed to request you to see that very urgent action is taken to rectify the inaccuracies in regard to acquisition statements and that those statements are sent to the Deputy Commissioner promptly.

3) It is very necessary that the responsibility for the delay and negligence in the preparation of statements etc in this case should be fixed and reported to Government at an early date.

4) I am desired to request you to pay your personal attention to this matter.

I have the honor to be,

Sir,

Your most obedient servant,

for General Secretary to Government.

Appendix F G—1]

SUBJECT .....

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat

( ) Talamalai Ramakrishnappa & Acquisition of certain properties

the 193

Date of issue 26. 3. 32

Signed by Mr. N. V. R

Dfr 11 Section Law

File No. 112. 30

Serial No. 11

No P 5674

To The Revenue Commr in Mysore.

Sir, Notice under sec 80 C.P.C issued Mr C. L. Gowda, Advocate on behalf of Mr

for the deviation Road at Kengeri;—

I am directed to forward herewith the marginally noted papers, regarding the above claim, and to state that it is regretted that acquisition proceedings in this case have been delayed for ~~over~~ four nearly six years. I am to request you to see that this long pending matter is expeditiously disposed of and the disposal duly reported to Govt for information

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. PS674 Revs 13

*Dated, Bangalore,* 24th March 1932.

*From*

H. V. Ramasvami Esq., M.A., B.L.,
Offg: *General Secretary to the Government of His Highness the Maharaja of Mysore.*

*To*

S. P. Rajagopalachari Esq., B.A., B.L.,
Revenue Commissioner in Mysore, Bangalore.

Sir,

Notice under Section 80 Civil Procedure Code issued by Mr. C. L. Gowda, Advocate on behalf of Mr. Talanki Ramakrishnayya Re: Acquisition of certain properties for the deviation road at Kengeri.

---

Sir,

I am directed to forward herewith the marginally noted papers, regarding the above claim, and to state that it is regrettable that acquisition proceedings in this case have been delayed for nearly six years. I am to request you to see that this long pending matter is expeditiously disposed of and that the disposal duly reported to Government for information.

1. Copy of Notice issued by Mr. Gowda.
2. Letter No.P.6601 dated 13-4-1931 to the Deputy Commissioner, Bangalore calling for a report.
3. Letter dated 15-7-1931 with its enclosure from the Deputy Commissioner, Bangalore.
4. Letter No.P.1467/ dated 5-9-1931 to the Deputy Commissioner.
5. His reply dated 19th December 1931.
6. Report of the Chief Engineer No.12064 dated 3-3-1932.
7. Letter No.P. dated to the Chief Engineer.

I have the honor to be,
Sir,
Your most obedient servant,

Sd. H. V. Ramasvami.

General Secretary to Government.

B.A.M.3

P.T.O.

Copy of the foregoing is forwarded with compliments to the Deputy Commissioner, Bangalore District with reference to his letter No.C.5-5264/29-30 dated 19th December 1931. The records sent with the letter are herewith returned.

By order,

for General Secretary to Government.

Please send me records

to the D.C. Blore

in Continuation of the memo

no. P: 5675 dt 26.3.52

5747/31
P 39

Tel. Add: "MYSORWORKS"

No. 15403
1

Enc.

**Public Works Department,**

**Central Office,**

*Dated, Bangalore,* 6/6/ 1932

From

M. G. RANGAIYA, Esq., B.A., B.E., M.R. San. I., M.Am. A.E.,
*Chief Engineer of Mysore,*
*Bangalore.*

GENERAL SECRETARY
7 JUNE 1932
No. La—

Law 112-30-12

To

The Secretary to Government,

General Department,

Bangalore

Acquisition of certain properties for the deviation road at Kengeri.

---

Sir,

With reference to your letter No.P.5673 dated the 26th March 1932, I have the honour to forward herewith for information a copy of letter No.2063 dated the 30th April 1932 from the Executive Engineer, Bangalore Division, explaining the circumstances under which the lands referred to were taken possession of before they were acquired under the Land Acquisition Regulation and the reasons for the several changes made in the acquisition statements.

2. The final statements have been signed by the Executive Engineer, Bangalore Division, and they have been forwarded to the Deputy Commissioner, Bangalore District, for early action.

I have the honour to be,

Sir,

Your most obedient servant,

M G Rangaiya

Chief Engineer of Mysore

Letter No.2063 dated the 30th April 1932 from the Executive Engineer, Bangalore Division, to the Superintending Engineer, Mysore Circle.

---

Acquisition of certain properties for the deviation of Madras Cannanore road near Kengeri.

---

With reference to your letter No.11029 dated the 18th April 1932, I have the honour to state that the P.W.Secretary's letter No. 632 dated the 26th November 1926, an estimate for Rs 3,720 was sanctioned for the deviation of Madras Cannore road between the miles 3/ and 6/10 near Kengeri. In view of urgency, it was ordered in the letter that the work may be put in hand and completed early. The tenders were immediate called for and the work was commenced in December 1926, so as to complete it before February 1927 as reported to the Chief Engineer in this office letter No.684 dated the 15th December 1926.

2. In this office letter No.376 dated the 24th August 1926 four months before the work was actually put on hand, a statement of land likely to be required for the deviation of the road was prepared and forwarded to the Deputy Commissioner to take necessary steps for the acquisition of the properties. The acquisition of the properties was sanctioned by Government in October 1926 in their order No.P.W. 166-168/1270-1272 dated 29th October 1926. The connected award statments were received in this office in January 1927 for countersignature and return to the Land Acquisition Officer for arranging payme of comepensation to the holders of the lands. In the prdinary course the payments could have been made and the properties taken possessio to Government in the next month i.e., February 1927.

3. In the meanwhile, orders were received from the Dewan Saheb to change the sanctioned allotment and to widen the embankment of th deviation road, the reason for change being to avoid a large number of houses and backwards to be acquired and also to avoid the long length in the village portion. The new line was taken round the village lower down avoiding all obstacles in a fairly easy gradients vide report accompanying the revised estimate for the project submitted to you with this office letter No.39 dated 2nd December 1927.

4. The award statements received from the Land Acquisition officer in January 1927 had therefore to be returned to him uncountersigned and a revised statement of lands sent up for fre and sanction of Government being obtained. The revised declarati statement was submitted to the P.W.Secretary with the Deputy Commissioner's letter No.C.5.278/26 dated 10th February 1928. This statement had again to be modified so as to include some extr portions of lands for space required for excavating avenue pits and reserve some road margin, vide this office letter No.716 dated 12th May 1928 addressed to you. This modified statement was approved by Government in their order No.P.W.2364-6/8372-4 dated the 9th January 1930 and the preliminary notification published on page 101 part II of the Mysore Gazette dated 23rd January 1930.

5. While forwarding the final declaration statements for countersignature and retu.. before publication in the Gazette the Deputy Commissioner, pointed out certain differences between the area of the land entered in the preliminary notification and that as per measurements taken by the Revenue Inspector. The statement returned by the Deputy Commissioner with his letter No.C.5.5264/29. dated 12th November 1931 was finally verified and sent back to that officer with plan with this office memo No.1462 dated the 15th Janu ary 1931 for final publicationain the Gazette and passing the awards. The Deputy Commissioner has again been reminded in th matter in this office letter No.2244 dated 27th April 1932.

6. From what is stated above, it can be seen that this Department took prompt action for the acquisition of the lands sufficient early before the work was commenced and that in view of the urgency as ordered by Government - vide P.W.Secretary's letter quoted in the first para of this letter the work had to be commenced immediat after receipt of sanction before the lands were formally acquired and the payment of compensation was settled. It can also be seen th the delay in the disposal of the question was partly to the change of sanctioned alignment and partly due to the revision of the

of the declaration statements more than once for reasons stated in the previous paragraph.

---

"C o p y"

V. Lakshmanachar

for chief engineer of Mysore.

1632

Appendix F G—1]

SUBJECT .....

.....

.....

Section Law

File No. 112-30

Serial No. 13

*Diary No. of letter replied to* .....

No. P. 7270/Law Gen 1

To The D. C. Bangalore.

Subject :- Notice under sec 80 C.P.C. issued by Mr. S. K. ... Advocate on behalf of Mr. Talanki Ramakrishnaya re acquisition of certain properties for the deviation Road at Kengeri.

General and Revenue Secretariat

( )

*the* *193*

Date of issue 25/6/32

Signed by for N. N. Jagadeva

Sir,

In Continuation of this office Memo No. P. 5675 dated 26th March 1932 forwarding a copy of the letter no. P. 5674 dated 26th March 1932 addressed to the Rev: Comm? in Mysore re: the above claim I am directed to enclose herewith Copy of the Bangalore Dt Executive Engr's letter no. 2063

44

~~Bangalore Division to the Superintending Engineer Hyde Circle and to make~~ ~~that~~ para 5 of ~~the~~ which ~~letter~~ points out that the final declaration Statement with the plan was sent to you on 15.1.32 for final publication in the Gazette, and ~~for~~ passing of the award. ~~and the matter has been reminded~~ It is also stated that ~~have~~ you have been duly reminded in the matter on 27th April 1932 in Exec. Engr's letter No 22-6-6

I am to ~~request you~~ enquire ~~to~~ the cause for the delay in your office as ~~to be as good as to intimate~~ in taking prompt action on the Executive ~~for information of this the cause~~ Engineer's letter of 15-1-32 ~~for the delay in taking prompt action in the matter~~

I have etc

[illegible] Secy.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

GENERAL AND REVENUE SECRETARIAT

45

No. P.7270/Law Enc. 1

*Dated, Bangalore,* 25th June 1932.

*From*

R. RANGA RAO, Esq., B.A., B.L.,
*General Secretary to the Government of His Highness the Maharaja of Mysore.*

*To*

The Deputy Commissioner,
Bangalore District, Bangalore.

Sir,

Subject :- Notice under Section 80 C.P.C. issued by Mr. C.L. Gowda, Advocate on behalf of Mr. Talenki Ramakrishnaiya re: acquisition of certain properties for the deviation Road at Kengeri.

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In continuation of this office Memo No.P.5675 dated 26th March 1932, forwarding a copy of the letter No.P.5674 dated 26th March 1932, addressed to the Revenue Commissioner in Mysore regarding the above claim, I am directed to -- enclose herewith copy of the Bangalore Division Executive Engineer's letter No.2063 dated 30th April 1932, ~~Bangalore Division~~ para 6 of which points out that the final declaration statement with the plan was sent to you on 15th January 1932, for publication in the Gazette and further action being taken for the passing of the award. It is also stated that you have been duly reminded in the matter in Executive Engineer's letter No.2244 dated 27th April 1932.

I am to enquire the cause for the delay in your office in taking prompt action on the Executive Engineer's letter of 15th January 1932.

I have the honour to be,
Sir,
Your most obedient servant,

BVaraRao

For General Secretary to Government.

ISD

Appendix F G—1]

SUBJECT .....

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11

**Section**

**File No.**

**Serial No.**

*Diary No. of letter replied to* .....

No. P.7271/Law

To The Revenue Comm

Sir,

General and Revenue Secretariat

( )

*the* *193*

I am directed to

invite reference to this office letter

Date of issue 25/6/32

no. P. 5674 dated 26th March 1932 ~~re~~

requesting you to see that

~~the Notice under Sec 6 L.A.C. Act~~

Signed by Sd. N. R. Jaya Rao

~~by Mr C. K. Gupta Advocate on~~

~~behalf of Mr Tatachari Rama Krishnaiya~~

The proceedings re: Acquisition of certain properties

of Valanci Ramaswamiya required

for the deviation Road at Kengri

~~and to request that a report be expedited~~

and to enquire how the matter

~~& to know the acquisition~~

stands at present.

List of enclosures .....

~~Proceedings as proposing may~~

~~Kindly be sent for information~~

Copied by .....

~~of Govt early~~

I have etc

Examined by .....

ISD 24/6

for Gen Secy

No. C.3573/31-32.

*Dated, Bangalore,* 6th July *1932.*

-7 JUL 1932

OFFICE OF THE REVENUE COMMISSIONER 00372 IN MYSORE

GENERAL SECRETARY 7 JUL 1932 No.

FROM

S.P. Rajagopalachari, Esq., B.A., B.L.,
*Revenue Commissioner in Mysore.*

To R. Ranga Rao, Esq., B.A., B.L.,
General
/ ~~The~~ *Secretary to the Government*
*of His Highness the Maharaja of Mysore,*
*Bangalore.*

Kengeri - acquisition of certain properties for deviation road at -

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SIR,

With reference to your letter No.P.5674 dated the 24th March 1932 calling for a report regarding certain properties of Mr. Talanaki Ramakrishnayya acquired for the deviation road at Kengeri, I have the honour to state that the Deputy Commissioner, Bangalore District, reports in his letter No.C.5-5264/29-30 dated the 29th April 1932, that the necessary Notifications under Sectio 4 (i) and 17 of the Land Acquisition Regulation have been sent Executive Engineer, Bangalore Division for obtaining Government sa tion and that the Sub Division Officer will be instructed to speed dispose of the matter, after the acquisition is sanctioned by Gove ment. Why no action was taken for the last four years and who is responsible for the delay has not been reported by the Deputy Comm sioner.

I have the honour to be,

S i r,

Your most obedient servan

Revenue Commissioner.

FROM

K.V.Anantaraman,Esqr., B.A.,
*Deputy Commissioner,*
*Bangalore District.*

GENERAL SECRETARIAT
22 JULY 1932
No.....

To

R.Ranga Rao,Esqr., B.A., B.L.,
General *Secretary,*
*to the Government of Mysore.*
Bangalore.

**Subject:**— Re. the acquisition of certain properties deviation road at Kengeri.

With reference to your letter No.P.7270/Law dated 25-6-32 on the above subject, I have the honour to state that the Execut Engineer, Bangalore Division forwarded with his Memo No.1462 dat 15-1-32 a plan and a revised statement of lands required for the above purpose. They were forwarded to the Sub Division Officer Bangalore with this Office Memo No.C5-5264/29-30 dated 19-1-32 for immediate submission of necessary declaration statements. He submitted with his Memo No.B1-727/29-30 dated 19-3-32 notifications only under Sections 6 and 7 of the Land Acquisition Regulation and also without information as to the cost of acquisitio required. His report was returned with this Office Memo No.C5-5264/29-30 dated 8-4-32.for resubmission with notifications unde Sections 4(1) and 17 of the Land Acquisition Regulation and with information as to the cost of acquisition required. He resubmitted his report with the required particulars with his Memo No B1-727/29-30 dated 21-4-32. The Executive Engineer, Bangalore Division, in his letter No.2244 dated 27-4-32 reminded this Offi for a reply in the matter. The connected records and the notif cations received from the Sub Division Officer, Bangalore were forwarded to the Executive Engineer, Bangalore Division with this Office letter No.C5-5264/29-30 dated 30-4-32 for countersignature and transmission to the Secretary,Public Works Department for obtaining Government sanction to the acquisition and causing the notifications to be published in the Mysore Gazette. Thereafter

Thereafter the Engineer in Mysore Bangalore forwarded to this Office with his letter No.15402 dated 6-6-32 the draft notifications countersigned by the Executive Engineer, Bangalore Division, without submitting them to Government for sanction and publication. The notifications were returned to him with this Office letter No.C5-5264/29-30, dated 27-6-32 for obtaining Government sanction to the acquisition and causing the notifications to be published in the Mysore Gazette. The Government have since sanctioned the acquisition in their order No.P.W.13-15/S dated 4-7-32. The Sub Division Officer, Bangalore has been requested to take immediate necessary further action in the matter It may be seen that the preliminary notification and declaration statement were sent to the Executive Engineer as expeditiously as possible. There was a slight delay in the Taluk which could perhaps have been avoided. But I think it does not call for any serious notice.

Appendix F G—1]

SUBJECT .....

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Section Law

File No. 112-30

Serial No.

*Diary No. of letter replied to* .....

No. P. 628/

To

C. Lakshmana Gowda Esq BABL

Advocate,

Bangalore

General and Revenue Secretariat

( )

*the* *193*

Sir

Date of issue 29/7/32

With reference to your ri

dated 18-3-31 issued on behalf

Signed by Jm N.R.J. Rao

of Mr. Talamki Ramakrishnaiya

in continuation of this office letter

No: P. 7584/Law dated 22nd may 1931,

I am directed to refer you to the

~~declaration~~ notification No: P.W. 13-15/S

dated 4th July 1932 published in the

Part III-1 of the

Mysore Gazette of 14th July at page 528.